

PROB 12C
(7/93)

Report Date: September 10, 2012

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEP 11 2012

Petition for Warrant or Summons for Offender Under SupervisionJAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Robert Lien

Case Number: 2:08CR02068-001

Address of Offender: [REDACTED] Yakima, WA 98901

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 5/8/2009

Original Offense: Aggravated Identity Theft, 18 U.S.C. § 1028A

Original Sentence: Prison - 24 Months;
TSR - 12 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alexander Carl Ekstrom

Date Supervision Commenced: 1/25/2011

Defense Attorney: Federal Defender's Office

Date Supervision Expires: 9/22/2012

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- | | |
|---|---|
| 1 | <u>Mandatory Condition # 2:</u> The defendant shall not commit another Federal, state, or local crime. |
|---|---|

Supporting Evidence: On May 24, 2012, an incident report was filed with the Yakima Police Department, case number 12Y020248, alleging Mr. Lien committed fraud.

On May 24, 2012, the victim came to the Yakima Police Department to report a fraud. The victim related she had been in the hospital for a while, and when she got out she noticed she had not received her bank statement. The victim requested her bank statement from her bank, and upon review saw that \$685 was taken out of her account, along with other amounts. The victim advised she obtained a copy of the fraudulent check from the bank, and was told to report the incident to the Yakima police. The victim indicated she suspected Robert Lien, as he had lived in her residence, but moved out on May 21, 2012.

Later this same date, the victim's daughter called police and advised they were going through the room that Mr. Lien stayed in and found a briefcase with checks, paper to make checks and miscellaneous papers. She was told to bring the briefcase to the police station so that the briefcase and its contents could be entered into evidence.

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On May 25, 2012, the victim's daughter reported to the Yakima police station and turned in the briefcase which belonged to Mr. Lien. She advised she found her brother's bank statements in with Mr. Lien's stuff. The victim's daughter indicated Mr. Lien and her brother were friends and met when they were both incarcerated at Shelton. The victim's daughter was given back her brother's bank statement. She also provided a copy of an order form from PC Pit Stop that was in Mr. Lien's papers, showing her mother had ordered an item for \$49.99 with her VISA. The victim's daughter reported her mother never ordered such item.

The victim's daughter also reported she checked her mother's computer and found two check writing programs. She indicated Mr. Lien would spends hours on the computer. The victim's daughter indicated she would be willing to turn over the hard drive of the computer to the police department, if needed for evidence.

On September 7, 2012, Mr. Lien was confronted by this officer regarding the above allegations to which he adamantly denies.

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Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On June 12, 2012, an incident report was filed with the Union Gap Police Department, case number 12U002868, which alleged Mr. Lien committed fraud.

According to the Union Gap Police Department incident report, on May 2, 2012, AC Auto Sales received a \$3,000 check from Robert Lien for a down payment on a truck purchase. On June 6, 2012, the check was returned to the business marked as non sufficient funds.

On June 12, 2012, a police officer was dispatched to AC Auto Sales located on East Valley Mall Boulevard in reference to a possible fraud. The officer met with the owner of the business who reported a pickup truck was sold to Robert Lien on May 2, 2012. Mr. Lien wrote a personal check for a down payment in the amount of \$3,000 drawn on a Bank of America account. The rest was financed through Reliable Credit in the amount of \$12,593. Mr. Lien advised the salesman that the money was not currently in the account and was allowed to post date the check to May 20, 2012. Mr. Lien informed AC Auto Sales that is when he got paid from his employer, SCI Doors. On June 6, 2012, the check was returned marked with non sufficient funds. The owner contacted Mr. Lien and was told he would get them the money and was given until June 13, 2012.

On June 13, 2012, the police officer contacted the owner of AC Auto Sales to follow up on the incident. The owner reported Mr. Lien's boss from SCI Door had called him from Moses Lake. According to Mr. Lien's boss, Mr. Lien was a good employee and he would make sure Mr. Lien had the money for them. The owner gave them until the end of business on June 13, 2012, however, Mr. Lien did not come in.

According to the incident report, the police officer ran a records check and located the Yakima Police Department fraud case where Mr. Lien had been in possession of checks, paper to make checks and miscellaneous papers. The report noted it is unknown if the check

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that Mr. Lien gave to AC Auto Sales was even on his own account. Mr. Lien has a history of identity theft and the Yakima police case involved an incident of making a withdrawal from a Bank of America account that did not belong to him.

On September 7, 2012, Mr. Lien was confronted by this officer regarding this incident. Mr. Lien reported the check was post dated as he was waiting for his tax return. The defendant also stated he contacted the owner of AC Auto Sales and has made arrangements to come in on September 10, 2012, to make good on the down payment. Mr. Lien stated he will be withdrawing the money from his 401k to make the payment.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

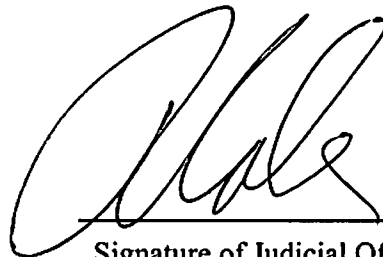
Executed on: 09/10/2012

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

9/11/2012

Date